

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES WILBERT,

Plaintiff,

v.

THE FEDERAL AVIATION ADMINISTRATION,
MARION BLAKELY in her official capacity as
administrator of the Federal Aviation Administration,
JOHN CATSIMATIDIS, NICHOLAS C. KATSORIS,
C & S ACQUISITION CORPORATION, RED APPLE,
AVIATION GROUP, INC., RED APPLE GROUP,
INC., RICK PARATINO, SID MARTIN, B.J. HAIRE,
RICHARD WEILAND, and UNITED REFINING
COMPANY,

Defendants.

NO. 3:04-0837
JUDGE HAYNES

ORDER

In accordance with the Memorandum filed herewith, motion to dismiss filed by the Defendants: C&S Acquisition Corporation, the Red Apple, John Catsimitidis and United Refining Company (Docket Entry No. 31) is **GRANTED** and Plaintiff's claims against those Defendants, are **DISMISSED** with prejudice.


The Defendant Nicholas C. Katsoris's motion to dismiss and for summary judgment (Docket Entry No.56) is **GRANTED** for lack of personal jurisdiction. This action is **DISMISSED** without prejudice to Plaintiff's underlying claims against the Defendant. The Defendant Nicholas C. Katsoris's motion to strike (Docket Entry No. 91) is **DENIED** as moot.

This action is hereby **DISMISSED** with prejudice.

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the 8th day of August, 2005.


WILLIAM J. HAYNES, JR.
United States District Judge